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6 **IN THE UNITED STATES DISTRICT COURT**  
7 **FOR THE DISTRICT OF ARIZONA**  
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9 NextGen Builders LLC,

10 Plaintiff,

11 v.

12 Platinum Builders Group LLC, *et al.*,

13 Defendants.  
14

No. CV-24-00202-PHX-JJT

**ORDER**

15  
16 The Court, having considered NextGen Builders, LLC's and Platinum Builders  
17 Group LLC's Stipulation to Enter Order of Preliminary Injunction and Vacate June 6, 2024,  
18 Hearing (Doc. 46),

19 **IT IS HEREBY ORDERED** granting Stipulation to Enter Order of Preliminary  
20 Injunction and Vacate June 6, 2024, Hearing (Doc. 46).

21 **IT IS FURTHER ORDERED** denying as moot Plaintiff's Motion for Preliminary  
22 Injunction and Expedited Discovery (Doc. 10).

23 **IT IS FURTHER ORDERED** vacating the June 6, 2024 hearing (*see* Doc. 42).

24 **IT IS FURTHER ORDERED** that Defendant Platinum Builders Group LLC is  
25 preliminarily enjoined from doing the following:

26 1. Beginning new construction, new drawings, or new plans for any home with  
27 a floor plan substantially similar to either the Payson Plan or the Prescott Plan referred to  
28 in Plaintiff's Motion for Preliminary Injunction and Complaint, which includes beginning

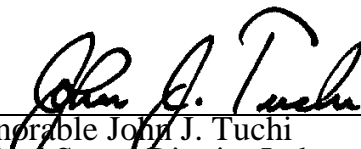
1 construction using Defendants' Standard Plan referred to in Plaintiff's Motion for  
2 Preliminary Injunction and Complaint.

3 2. Promoting, advertising, selling, or otherwise transferring title to any house  
4 for which construction has not yet begun, that includes a floor plan substantially similar to  
5 either the Payson Plan or the Prescott Plan referred to in Plaintiff's Motion for Preliminary  
6 Injunction and Complaint, which includes Defendants' Standard Plan referred to in  
7 Plaintiff's Motion for Preliminary Injunction and Complaint. "Construction" begins on a  
8 house when physical labor is expended on the direct creation of the house's actual physical  
9 structure. Creating plans for a house, clearing physical space for a house, and entering into  
10 an agreement concerning the incipient building of a house does not constitute  
11 "construction."

12 3. Providing to third parties any drawings or plans for any home with a floor  
13 plan substantially similar to either the Payson Plan or the Prescott Plan referred to in  
14 Plaintiff's Motion for Preliminary Injunction and Complaint, which includes Defendants'  
15 Standard Plan referred to in Plaintiff's Motion for Preliminary Injunction and Complaint.

16 4. Defendant Platinum Builders Group LLC shall also remove from its website,  
17 Instagram page, and any other electronic or print medium any drawings, plans, images, and  
18 videos for any home with a floor plan substantially similar to either the Payson Plan or the  
19 Prescott Plan referred to in Plaintiff's Motion for Preliminary Injunction and Complaint,  
20 which includes Defendants' Standard Plan referred to in Plaintiff's Motion for Preliminary  
21 Injunction and Complaint, and instruct any agents (*e.g.*, realtors or affiliates) to do the  
22 same.

23 Dated this 15th day of May, 2024.

24   
25 Honorable John J. Tuchi  
26 United States District Judge  
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